

RESOLUTION NO. _____

**AMENDED RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA BARBARA CALLING A SPECIAL
ELECTION FOR COUNTY OF SANTA BARBARA
DETACHMENT OF LOT F FROM COMMUNITY FACILITIES
DISTRICT NO. 2002-1 (ORCUTT COMMUNITY FACILITIES
DISTRICT)**

WHEREAS, on December 19, 2006, the Board of Supervisors (the "Board of Supervisors") of the County of Santa Barbara (the "County") adopted a resolution entitled "A Resolution of Consideration to Alter the Orcutt Community Facilities District No. 2002-1 to Detach Rice Ranch Lot F" (the "Resolution of Consideration") and

WHEREAS, as pursuant to Government Code Sections 53331-53338, the Board of Supervisors adopted a resolution of consideration to alter the Orcutt Community Facilities District and a hearing to receive protests on the proposed detachment of territory known as Lot F from the Community Facilities District was conducted on January 23, 2007 and no written protests to constitute the termination of proceedings to alter the Community Facilities District by detaching lot F were received; and,

WHEREAS, pursuant to Section 53326, the legislative body may submit the question of changes to the Community Facilities District to the qualified electors of the Community Facilities District as required by the Mello-Roos Community Facilities Act of 1982 (the "Act");

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Santa Barbara as follows:

Section 1. Pursuant to Sections 53326 of the Act, the proposition to detach territory known as Lot F (APN 101-380-04, Tract Map 14,636) from the Community Facilities District shall be submitted to the qualified electors of the Community Facilities District at an election called therefore as provided below.

Section 2. The Board of Supervisors hereby finds that more than 12 persons have been registered to vote within the boundaries of the Community Facilities District for each of the 90 days preceding the close of the public hearing held by the Board of Supervisors on January 23, 2007 for the purposes of these proceedings. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the registered voters within the Community Facilities District and each registered voter shall have one vote.

Section 3. The Board of Supervisors hereby calls a special election to submit to the qualified electors of the Community Facilities District the proposition to detach territory from the Orcutt Community Facilities District, which election shall be held on March 27, 2007. The Registrar of Voters of the County Clerk Recorder Assessor or an authorized deputy thereof (the "Registrar of Voters") is hereby designated as the official to conduct said election. The Board of Supervisors has caused to be provided to the Registrar of Voters the Resolution of Consideration, a certified map of sufficient scale and clarity to show the boundaries of the Community Facilities District, and a sufficient description to allow the Registrar of Voters to determine the boundaries of the Community Facilities District. The voted ballots shall be returned to the Registrar of Voters not later than 8:00 p.m. on March 27, 2007; provided, however, that if all of the qualified electors have voted prior to such time, the election may be closed with the concurrence of the Registrar of Voters.

Section 4. Pursuant to Section 53327 of the Act, the election shall be conducted by mail or hand-delivered ballot pursuant to Sections 4100-4108 of the California Elections Code.

Section 5. The form of the ballot for said election is attached hereto as Exhibit A and by this reference incorporated herein, and such form of ballot is hereby approved. The Registrar of Voters shall cause to be delivered to each of the qualified electors of the Community Facilities District a ballot in said form.

Each ballot shall be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The identification envelope for return of the ballot shall be enclosed with the ballot, shall have the return postage prepaid, and shall contain: (a) the name and address of the registered voter, (b) a declaration, under penalty of perjury, stating that the voter is the person whose name appears on the identification envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration described in clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing board.

Section 6. The Registrar of Voters shall accept the ballots of the qualified electors in the Elections Offices of the Registrar of Voters at 130 E. Victoria Street, 2nd Floor, Santa Barbara, 511 E. Lakeside Parkway, Suite 134, Santa Maria, or 401 E. Cypress St., Room 102, Lompoc up to and including 8:00 p.m. on March 27, 2007, whether said ballots be personally delivered or received by mail.

Section 7. The Board of Supervisors hereby finds that the provision of Section 53326 of the Act requiring the special election to be held at least 90 days following the adoption of the Resolution of Consideration is for the protection of the qualified electors of the Community Facilities District.

Section 8. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 20th day of February, 2007, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Brooks Firestone
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy Clerk

Approved as to Form:
Stephen Shane Stark
County Counsel

Approved as to Form:
Robert W. Geis
Auditor-Controller

By _____
Deputy County Counsel

By _____
Deputy Auditor-Controller

EXHIBIT A

OFFICIAL BALLOT

COUNTY OF SANTA BARBARA

March 27, 2007

SPECIAL ELECTION

This ballot is for a special election. You must return this ballot in the enclosed postage paid envelope to the Santa Barbara Election Office of the Registrar of Voters of the County of Santa Barbara no later than 8:00 PM. on March 27, 2007, either by mail or in person. The Elections Offices of the Registrar of Voters is located at 130 E. Victoria Street, 2nd Floor, Santa Barbara, 511 E. Lakeside Parkway, Suite 134, Santa Maria, or 401 E. Cypress St., Room 102, Lompoc California.

INSTRUCTIONS TO VOTERS:

To vote on the measure, mark a cross (+) or (X) in the voting square after the word “YES” or after the word “NO”. All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly mark, tear, or deface this ballot, return it to the Registrar of Voters of the County of Santa Barbara and obtain another.

**COUNTY OF SANTA BARBARA
COMMUNITY FACILITIES DISTRICT NO. 2002-1
(ORCUTT COMMUNITY FACILITIES DISTRICT)**

MEASURE Q2007: Shall the parcel known as Lot F of Rice Ranch on Tract Map 14,636 be allowed to detach from the County of Santa Barbara Community Facilities District No. 2002-1 (Orcutt Community Facilities District) (the “Community Facilities District”) specified in the Resolution entitled “Resolution of Consideration to Alter the Orcutt Community Facilities District No. 2002-1 to Detach Rice Ranch” adopted by the Board of Supervisors of the County of Santa Barbara on December 19, 2006?

Yes:

No: